

COMMITTEE ON PUBLIC SAFETY, HEALTH AND TRAFFIC

September 4, 2007

Aldermen Osborne

O'Neil, Shea, Roy, Long

4:00 PM

Aldermanic Chambers

City Hall (3rd Floor)

Chairman Osborne called the meeting to order.

The Clerk called the roll.

Present: Aldermen Osborne, O'Neil, Shea, Roy and Long
Alderman Lopez

Messrs.: T. Soucy, M. Lussier, V. Theo, D. Albin, T. Hoben, T. Arnold, L.
Peterson, T. Clark, J. Ramos

3. Update from the Public Health Director.

Mr. Tim Soucy, Public Health Director, stated good evening, gentlemen. Two quick updates for you: One, I certainly want to bring you up to speed on what's been going on with Triple E and West Nile around the State. You may have heard there's been a second human case in New Hampshire, in Newfields. So there's been human cases in Newton and Newfields, positive mosquito pools in Newton and Brentwood. To date we have submitted over 35,000 individual mosquitoes to the State lab for testing, over 2,100 what we call mosquito pools which are test tubes. That number accounts for about 25 percent of the State total so far, and we've been very fortunate that everything has come back negative. So as of today we are still negative for Triple E in mosquitoes and/or birds in the City. What I do want to mention though is that this should not give anyone a false sense of security, just because we're picking it up. We want to reinforce those prevention messages that people still need to take those personal protective steps of wearing repellent, wearing long sleeves, long pants, in the times the mosquitoes are ready to bite, predominantly in the early evening hours and in the morning hours. We will continue to monitor it until the first frost. We hopefully will have that sooner than later but we probably have at least another month or so of trapping and surveillance activities. I would once again mention to the Board that, should spraying become warranted, we will be coming back to ask for money out of

contingency. We do not have money in our budget for that. It's always a very important and prudent public health measure, but we will continue to do surveillance, and if the time is warranted, we'll be coming back to the Board for that. So that's a quick update on what's been going on with mosquitoes. The other thing that I want to mention this evening is a project that the Health Department has been involved with for a couple of years, and it's called the Manchester Sustainable Access Project. A few years ago we began to partner with some key health care folks in the City: CMC, Dartmouth-Hitchcock, Child Health Services, the Elliot, Community Health Center, Mental Health Center of Greater Manchester and Health Care for the Homeless. We really began to look at, how do we increase access to primary care. There is a substantial portion of Manchester's residents that do not have access to primary care. It doesn't mean they don't have health insurance. It means they don't have access to primary care. So some of the work is funded by the hospitals: Dartmouth Hitchcock, the Bean Foundation, and the Endowment for Health. Most recently the Endowment for Health awarded this group an award of over \$520,000 and it has a couple of goals. One is to establish a leadership team, which we've begun, in conjunction with the Mayor's office and the key CEO's of the hospitals and the other leading health care organizations to say, how do we plan collaboratively to increase access to primary care. We want to leverage this money to maximize the amount of federal, state, and local dollars that are contributed to health care for Manchester's people. Part of this money is to help support the relocation and the expansion of the Manchester Community Health Center. Their lease is due in the spring, and they've been seeking new quarters, so there's some money in there to help them with that. Most importantly we want to increase access to primary care, mental health services and oral health care, all of which are greatly needed in this community. We're going to continue to evaluate the data on what's going on in the community. What are the demographics of the uninsured and those who do not have access to care? This strategic planning body can continue to plan in an appropriate manner to increase access to care. What happens now when someone does not have access to primary care is they go to the emergency room, which is the most expensive and least efficient way of treating someone for something that could be handled in a physician's office. So if we can begin to use this money to increase access to primary care, to increase access to oral health care and mental health services, hopefully we would have as a result a healthier community to do so. So we do have this initial commitment from the Endowment for over \$500,000, with the prospect of some additional funding over the next three years. In all, we may be looking at a total of \$1.2 million being brought into this City to help improve access to care. And we really could not have done it without the Health Department taking the leadership role as the neutral body, to pull the hospitals together - Dartmouth-Hitchcock, Child Health Services, Community Health Center - the major health care providers, to get them around one table to say, how do we begin to work together to increase access to primary care? So

we're very fortunate to have that money coming into the community. I'll certainly keep you updated on the progress of this project. Like I said, it is a multi-year project, but certainly the \$500,000 is a great way to help kick it off. With that I'll entertain any questions for the evening.

Chairman Osborne asked any comments from the Committee? Thank you. See you next month.

4. Update from representatives of the Police Department.

Chairman Osborne stated this is something new, but hopefully it will be very informative month to month.

Deputy Chief Marc Lussier, Police Department, stated good evening, Aldermen. This evening what I'd like to do is talk about some of the laws that pertain to schools and school safety. With tomorrow being the first day of school, I just thought it might be helpful for the public to be reminded of some of the laws that are out there and some of the things that we will be enforcing, trying to make it safer, the first day of school safer for the children. In no particular order: obedience to school crossing guards, that's RSA 265-3, basically says that you have to obey a school crossing guard. If they're displaying a STOP sign, you have to stop your vehicle at least 25 feet before reaching the school crossing guard. Pedestrian control signal: When it says walk, people have to understand that the pedestrian should be given the right of way. And there are no right hand turns on red allowed when that steady, flashing walk sign is on. Pedestrian right of way in a crosswalk: When traffic control signals are not in place or not in operation, the driver shall yield the right of way to a pedestrian crossing the roadway within a crosswalk. Crossing at other than crosswalks: Every pedestrian crossing a roadway at any point other than within a marked crosswalk shall yield the right of way to all vehicles. I'd just like to point out at this point, I'm just paraphrasing some of these. I am leaving some of the verbiage out just to make it a little easier to understand and move it along a bit. Overtaking and passing school buses: A driver meeting or overtaking from either direction any school bus which has stopped for the purpose of receiving or discharging school children shall stop his vehicle before reaching such school bus at least 25 feet away from the school bus. I'd point out here that the school zones, the speed there is ten miles lower than usually posted and the time for a school zone is 45 minutes prior to the opening of school and 45 minutes after the school has closed. Stopping, standing or parking prohibited in specific places: This is a problem around many of the schools with parents picking up their children or dropping their children off. You can't double park, you can't park on a sidewalk, within an intersection, on a crosswalk, alongside or opposite any street excavation or obstruction when stopping, standing

or parking would obstruct traffic. To stand or park a vehicle, whether occupied or not, except momentarily to discharge or pick up a passenger or passengers, in front of a public or private driveway, within 15 feet of a fire hydrant, or within 20 feet of a crosswalk at an intersection. Unattended motor vehicle (which is something for people who drop their children off have to be aware of): No person driving or in charge of a vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key and effectively setting the brake when standing upon a grade, turning the front wheels to the curb or to the side of the way, unless the vehicle has been started by a remote car starter. Child restraints: Anybody under 18 has to have a safety belt, and if the passenger is less than six years of age and is less than 55 inches in height, the passenger shall be properly fastened and secured by a child passenger restraint. I just want to go over a couple of the parking fines that you might get. Handicapped zone ticket is \$250, the handicap access aisle is a \$100 ticket, No Parking zone is \$50, parking within 15 feet of a hydrant is \$50, a fire lane or tow zone is \$50, and parking within five feet of a private driveway is a \$50 ticket. And randomly from the back of the Motor Vehicle Summons, avoiding a traffic signal is \$72. A lot of people do that, cutting through a gas station parking lot to avoid the red light. That's illegal. It's a \$72 ticket. Children restraints is \$50; failure to yield to a pedestrian on a crosswalk is \$57.60; opening or closing vehicle doors when not done in safety is \$57.60; the unattended vehicle will cost you \$43.20; speeding, if you're going one to ten miles per hour over the speed limit it's a \$50 fine; 11 to 15 is \$75; 16 to 20 miles an hour is a \$100 fine; 21 to 25 miles an hour is a \$200 fine. These are just some of the things that we want to touch upon and remind people as we begin the school, and we hope it will be a safe school year.

Chairman Osborne stated thank you, Deputy Chief Lussier. Anything from the Committee?

Alderman O'Neil asked Marc, will there be anything...I'm guessing you'll be out with some visibility over the next few days, but is there any plan on a long term basis, either with targeted enforcement or with the route officers, to pay special attention to any one of these situations in and around schools?

Deputy Chief Lussier responded within the next several weeks the schools are going to be a priority. Two facets: One, for the safety of the children and the other for motor vehicle enforcement. The Traffic Division is going to be out doing some enhanced enforcement. We have been in contact with State Police, a week or so ago. We had State Police come down and we did an enforcement day. We continue to have that email set up for people to voice their concerns with us. It's speeders@manchesternh.gov and we have an extension which is 920 if people want to call in any complaints. We are going to be going out doing enhanced patrol.

Alderman O'Neil asked will there be anything beyond that time period though, through the next few months on and off to try to...

Deputy Chief Lussier responded yes, on an ongoing basis.

Chairman Osborne stated Mr. Lussier, you mentioned before an unattended vehicle, \$43.20. Is that what you said?

Deputy Chief Lussier responded yes, \$43.20.

Chairman Osborne stated and that's considered a non-moving violation, right? If it's unattended, I assume it's not moving.

Deputy Chief Lussier stated correct.

Chairman Osborne stated so that goes to the City.

Deputy Chief Lussier stated I believe all Motor Vehicle Summons go to the State.

Chairman Osborne stated unattended...It's a non-moving vehicle though. I though just moving vehicles went to the State.

Deputy Chief Lussier stated any motor vehicle violation goes to the State.

Chairman Osborne asked I was wondering how we ever arrived at \$43.20.

Alderman Roy stated Deputy, moving from your comments to the handout that we just received. Your number one is radios.

Chairman Osborne stated we're not going to get into that now. Are you going with this here? We'll get to that later tonight, I think.

Alderman Roy stated all right. I'll take your word for it.

Alderman Long stated okay, just a clarification, Deputy. If I have a green light and somebody's stepping in the crosswalk and there isn't a walk light, I'm yielding to the pedestrian in the crosswalk, even though I have a green light.

Deputy Chief Lussier stated pedestrians also have responsibilities. Pedestrians cannot just step out in front of a vehicle and expect that vehicle to stop. There are RSA's that deal with pedestrians in the roadway that address the pedestrian who steps out right in front of a vehicle and they get a ticket also.

Alderman Long stated because on the corner of Elm and Webster at that intersection, there's always a green light somewhere. It's either going east and west or north and south. And the issue is that people aren't slowing down for the pedestrians crossing.

Deputy Chief Lussier stated I will tell you that historically when we get complaints about not issuing enough tickets for vehicles not stopping for pedestrians, what we end up doing is probably giving more tickets to pedestrians than we do to the vehicles, because the pedestrians tend to step out. But I can get somebody up there and we can address that issue.

Alderman Long stated because with that intersection you need to step out on the crosswalk when somebody has a green light, whether it's going north and south or east and west.

Deputy Chief Lussier asked is there a button there for walking?

Alderman Long responded no, there's not a walk light. There's no walk light, so that seems to be the issue, that pedestrians are waiting for an opportunity and unless they see no cars, that's when they have the opportunity. It's a heavily trafficked area so they're standing there for minutes on end to decide when they can start walking. So maybe we want to look at a walk light also.

Deputy Chief Lussier stated I'll have somebody go up there and take a look at that.

Alderman Long stated that would be great, thank you.

Chairman Osborne stated is that it? Okay, we'll see you next month.

Alderman Roy stated just a request: for our monthly updates if we could have number of employees, number of employees out on light duty, much like some of the reports that you've put together in the past, just so we can have a running total of how they're testing and officers making it through field training, how are manpower issues, keep that on the forefront.

Deputy Chief Lussier stated yes, sir.

Alderman Roy stated greatly appreciate it, and likewise for the Fire Department when they come up.

Chairman Osborne asked would you think that you'd want to keep this particular...I started doing this, this month. But I think I want to keep this

particular situation here more for the constituents out there, more than what we want to know for information. I think we can bring that under a regular agenda item. Can we put that down? Okay, see you next month.

5. Update from representatives of the Fire Department.

Chief David Albin, Fire Department, stated thank you, Aldermen, for giving me the opportunity to come and speak to you today. As Deputy Chief Lussier mentioned, school's beginning and it has begun in some instances in the parochial schools last week. The Fire Prevention Bureau of the Fire Department goes out and conducts school inspections every year. A lot of times summer is a very difficult time to go out and do the school inspections because the schools are ripped apart. They're doing a lot of renovations and contractors are in doing the floors and maintaining and doing things like that. So we generally try to schedule up the majority of the school inspections for November and in the Christmas vacation weeks which seems to work out pretty well. We coordinate with the School Department and do it that way. As of this point about 25 percent of the school inspections have been done, and those are mostly in the parochial schools. We haven't found any problems whatsoever. Everything seems to be going very well. We've done the cursory walk-throughs in the public schools and things are looking very, very well. In regards to place of assembly inspections, we do those on a yearly basis. Place of assembly inspections are done in restaurants, bars, any place where people congregate. They're 100 percent completed. Sometimes we find problems. They're usually corrected relatively quickly and we, again, don't see any problems with those. We have one Fire Prevention Officer assigned to the Community Enhancement Team. He's been going out on a monthly basis with them. They've been addressing problems as they've been coming in. That seems to be working very well. The coordinated effort between all the departments seems to have a real impact on getting things done as opposed to working against each other, and that sometimes works really well. Fire activity in the summertime, for the most part, in regards to structural fire fighting, is reduced. A lot of the home fires are caused by heating equipment and things along that line, and in the summer, naturally heating equipment isn't being employed. We have seen quite a lot of...with the drought and lack of rain, we've seen larger and more frequent brushfires but things seem to be under control in regards to those issues. Some of the things that are going on now with regards to the Fire Department that we're doing that the public should probably be aware of is the fact that all fire fighters are required to be Emergency Medical Technicians at a minimum of a basic level. We have other ones who are part paramedics and some who are intermediate. But one of the tenants and one of the requirements of that is they be re-certified every two years to make sure that their training is up to date and their skill sets are maintained. Training for the EMT classes is scheduled to begin on the 12th of

September and will probably conclude sometime around the middle of December. And that's a good thing. Another thing that's happening in the Fire Department, and it's kind of exciting because it doesn't happen very often, is about two years ago the Fire Department, the Police Department and Information Systems Department got together and decided to upgrade and re-install the computer aided dispatch system that does all the dispatching for the Fire Department and the Police Department. We worked together collectively, we picked Intergraph as a vendor, we hired somebody and we're coming up to almost the live stage. We're scheduled to go live sometime in late September with this. Computer-aided dispatch is broken down into two components: there's the computer-aided dispatch in which the call taker takes the call and actually sends the fire truck or the police officer to where they're going. And then there's another component part of it called RMS which is Record Management Systems, which is basically the type of software that you use to track personnel training records, crime, things along that line. It's a statistical database type of thing. Both of them require a lot of training, but in regards to the CAD training, the training for the dispatchers, the call takers, the people who send the police officers and fire fighters out on the calls, that has been 100 percent completed, at least in the Fire Department side. Right now we're working to make sure that everybody is taken care of. I'm pretty sure the CAD training has been completed for everybody. Some of the other stuff that's going on, it all has to do with computer training and making sure that people are being trained properly to implement the new equipment that's being installed. We've either completed that training or we're in the process of completing it and we don't see any problems with getting that done by our target dates. For the people who are out there on the streets, a lot of times I know that when they walk by the fire houses or something, sometimes when they look in the doors, they might not see a fire truck somewhere, or they're very cognizant of the fact that there's two fire trucks in the station and when they walk by there might only be one in there. In this instance we have a couple of places where you're probably going to see a vacancy for a little bit. The first one would be at headquarters. You probably won't notice it because we take a fire truck from another place and bring it down, but the snorkel for our Truck #1, for lack of a better word, has had some control issues from the manufacturer. We had some cracks in the frame that necessitated that it be shipped back to the manufacturer for repair. That's scheduled to go out on the sixth of September, going back to Alabama, of all places, to be fixed. It's going to be freighted down there. We're not going to drive the truck down and incur any additional mileage or any of that. It's all warranty work that's being covered by the manufacturer, and we expect that to be out for a couple of months. The other vacancy you might see when you're walking by the fire station is up on Somerville Street, and you'll see that Truck #7 is no longer there. That's as a result of an accident that happened on the first of August. That truck is down at a company called Bulldog Fire Apparatus in Hopkinton, Massachusetts. They are currently working on it and we expect that to be back within probably two to three

weeks. I talked to the mechanic this morning and he said things are moving along really well on it. So they're getting that work done. In regards to the administrative part of the Fire Department, we're two months into the fiscal year. I got the obligation reports today. Salaries and the like all seem to be on line, predicated on past years. We don't see any bubbles or blips on that line so everything seems to be working the way it's supposed to. In regards to vacancies, we have one Captain vacancy, four Fire Fighters, and an Administrative Assistant. Other than that, the staffing is at 100 percent. Other than that, the other things that are taking up a majority of the Fire Department's time, in addition to emergency responses, is the fact that there is a lot of construction going on in the City. A lot of it you don't see because it's not big construction. We're not building any civics centers or baseball parks or anything like that. But there are a lot of small projects going on that require oversight in the Fire Prevention Bureau, and the guys out on the line are going through that and making sure things are being done properly. And that pretty much concludes what I have. If anyone has any questions, I'd be happy to entertain them.

Alderman Roy stated Chief, the truck that is replacing Truck #1 at Central, which truck would that be?

Chief Aubin stated we started off, we had Truck #3 down from Mammoth Road. When Truck #7 was involved in the accident, we took Truck #3 and brought it back up to Mammoth Road to cover the east side of the City, and now we have Truck #6 on the west side coming down and covering at headquarters. The reason for that is that both of those pieces are what they call articulating aerial platforms. They have a joint and they bend. It makes it easier for us to get around the wires down here, as opposed to taking a straight ladder, say from like Webster Street or over on South Main Street. They don't operate well in the tight confines of the urban compact.

Alderman Roy asked okay so right now for the west side the truck is at South Main Street?

Chief Aubin responded that's correct.

Alderman Roy stated and north end, naturally #5 is there. Mammoth Road is there.

Chief Aubin stated correct.

Alderman O'Neil stated David, you mentioned school inspections. That I believe you were referencing inspectors from the Fire Inspection Division doing school inspections, but you will start fire drills at some point. I know it's a fairly regular

basis where the neighborhood companies go out and conduct fire drills. Do you just want to comment about that briefly?

Chief Albin responded yes, absolutely. State law requires that fire drills be conducted twice in the first month of school and then once a month thereafter, with the exception of the inclement weather months. So we find it sometimes almost impossible to get out twice in September to do them, so a lot of times what we do is we work with the School Department and State law also allows them to do one other type of evacuation drill in regards to the Columbine-type situation, so we work one of those in so we can cover State law when we do those. But the fire companies do go out and they do go into each school and they do a fire drill, usually in September, October and November...sometimes in December if the weather's nice. If it's cold and rotten, we put them off and then we'll resume them again in March, April and May.

Alderman O'Neil stated and it would not be uncommon that if you may find a deficiency in the fire detection system or the notification system during those drills...

Chief Albin stated most of the time, Alderman, the fire detection systems are tested ahead of time, before we go in. We generally won't notice those. We will notice them, naturally, because we use the test button and if a horn doesn't sound or something like that, it is duly noted and passed on to the Facilities Division to promptly act on it.

Alderman O'Neil stated the only other question I had was, is there an update on Engine #4? I know that was something that Chief Monnelly, God rest his soul, had wished we took care of before he passed, but that has been a problem piece for us and I know it's been in and out of service, and there have been some indications from Chief Kane it could be significant to fix it. Can you give us an update on that?

Chief Albin stated yes, but I'm holding back on that a little bit, Alderman. I'm not trying to obfuscate the issue. Here's exactly what's wrong with it...

Alderman O'Neil stated there is a piece covering it.

Chief Albin stated absolutely. There's a spare piece of apparatus up on Hackett Hill and the people up in the northwest part of the City certainly have fire protection. The station is open, it's manned, and we haven't moved any of the staffing out of there.

Alderman O'Neil asked same manpower that's normally there?

Chief Albin replied exactly. There hasn't been anybody transferred out. The problem with Engine #4 is this: When it was brought in for some mechanical repairs, the mechanic took a hard look at it. The door posts in the frame section that hold up the cab are completely disintegrated and rotted out. The cab rust repair alone is estimated at \$45,000 to repair that. It also has some front end suspension repairs that are needed. The transfer case in the pump has failed, to the tune of \$7,500. To get the truck back on the road and in an operable condition, we're looking at \$55,500. And lest anybody think, it's just money or whatever it's going to be, the truck itself is 17 years old. And it's got a lot of mileage. So that's what is happening.

Alderman O'Neil stated the point is this is something...not an issue, because I know the Department has requested a more aggressive apparatus replacement from this Board and we haven't lived up to it, to be honest with you. And I think it's another example of a tired piece that we've gotten our money's worth out of. I don't even think we could salvage it as a spare piece in the City in its condition. It's something this Board has to address. Our fleet is getting older and older every year. We're not keeping up with the normal replacement cycle, and I know the Department has requested more aggressive apparatus replacement, and I think it's something this Board has to take a look and maybe not even wait till the next budget, to be honest with you. I wasn't trying to put you on the spot. I think it's something we have to be put on the spot about.

Chief Albin stated on the good side, the bids have been reviewed for the replacement pump for the Calef Road Station. Everything has been done. We expect that the contract will be signed this Friday and the order will go in for a new pump to replace the Engine #9, which is down on Calef Road. That truck is 20 years old, so that's progress.

Alderman Shea stated I just wanted to go back to the fire drills. The fact that there are no fire drills conducted by the Fire Department during the inclement months - December, January and February - is because we want the school children to do the same thing all the time. In previous years there were indoor drills. There was confusion, particularly in a school in Chicago and so forth, when the children stopped at the door. So the reason that there are no fire drills conducted actually during those inclement months is because if there is to be a fire emergency, they have to go outside. They can't stay inside. I know that, being a school principal for several years. And that was changed. I wanted that clarification so people don't think, well what happens during those inclement months, what do the children do? They go outside; they don't stay in the building.

Chief Albin stated you're absolutely correct, Alderman, and I'm sorry I didn't bring that up. After you do this for so long, it becomes a moot point. I understand it and you do; it just went over my head.

Chairman Osborne stated okay, it's been very informative from the three departments this month. I think it's very informative to the people out there. And I hope everybody likes it. We'll do it again next month. Something fresh.

6. Proposed street renaming of a portion of Cedar and Willow Streets to Harry Theo Lane.

Chairman Osborne stated I have the Theo family that's sitting out there. I think there are six of them. Anyway gentlemen, what is your pleasure?

Alderman Roy stated just one brief question. By the family being here, in my electronic agenda there was no letter or request so it's safe to assume this is coming from the family and supported by the family?

Chairman Osborne replied yes, it is. They're all out there. I guess we have one of the Theo family who has a little something to say.

Virginia Theo Steelman, Harry Theo's sister, stated I would just like to say, on behalf of his children, and his siblings, and the extended family, we are very grateful to you for naming this the Harry Theo Lane. He was very interested in the City of Manchester. He really contributed to the City, both personally and civically, and I'm sure, wherever he is right now, he's quite pleased, so on behalf of the extended family, thank you very much.

On motion of Alderman Long, duly seconded by Alderman O'Neil it was voted to approve this item.

7. Ordinance amendments relating to dogs (dog fouling penalties, prohibition for dogs in special use areas and penalties for violations).

On motion of Alderman Roy, duly seconded by Alderman Shea, it was voted to discuss this item.

Alderman Roy stated I guess I'll get this ball rolling by one, thanking some people that have put some time into this ordinance, but also thanking the people that have

spoken out for and against the dog fouling ordinance. Being a dog owner, this is a very difficult discussion for me because I find that good dog owners and people that are going to take the time to sign petitions and work against something limiting what they can do with their dogs tend to be the best owners of animals in the City. What I'd like to just put on the record is we're not protecting the children that play in our athletic fields from good dog owners and people that pay attention to the rules and regulations about dog fouling. We're protecting them from the people who don't care. And we're protecting them or giving some enforcement to the people who go and use the same facilities as our children and don't care or don't pick up after themselves. So while this has been a difficult decision, I am still supporting the proposed dog ordinances just because we're not reaching the people that don't care and I think we need to put more teeth in our enforcement to bring them to the point where they can only rival and have the same respect for our children as the people who took the time to sign the dog ordinance petition against it and are the ones that take care of their animals and take care of the waste produced. So that being said, Mr. Chairman, I will be supporting this.

Alderman O'Neil stated I will not be supporting this, as a former dog owner myself. I had a pair of dogs for 13 years. They died within a year of each other. They were a year difference in age. This comes down to personal responsibility and we can put up all the signs we want, we can raise all the penalties we want, but the people who are cleaning up after their dogs now will continue to clean up after their dogs. And the people who do not currently do it will not do it. I spend a lot of time at the beach in the summer time, and it's personal responsibility. I can tell you I see at the beach when somebody doesn't do it, others on the beach get on those people. And that's what we need to happen here. It's personal responsibility and when folks see it happen they need to get on those people. We don't have enough cops in the City of Manchester to do the serious needs, address the serious needs, address the serious concerns of this City. I don't know how we're ever going to enforce this and how we think this is going to make a difference. I don't believe it, as a former dog owner. I'd like to be the person who invented the plastic bags from any of the supermarkets because that's the norm when you have dogs. You throw them in your pocket, take your dog for a walk, let it run, you clean up after it and dispose of it in the nearest waste receptacle. There's been some talk about a dog park. I think it's a great idea, but the people who use the dog park are going to be the responsible dog owners, not the irresponsible ones. That's what this comes down to. We as a community need to take hold of this and get on our neighbors. If they're not cleaning up on the streets or in the parks, we need to get on them about it. Increasing fines and putting up signs, is not going to do it, folks. We have to make all responsible for this. So I will not be supporting this. Thank you, Mr. Chairman.

Chairman Osborne stated I'm glad Mr. O'Neil agrees with me, what I had in the Daily Express, I guess a few days ago. I feel the same way. I'd like to make the motion anyway, regardless, on the fine of littering from \$25 to \$100, not that this is going to solve anything, but I think at least if it comes to that point where somebody does disobey the ordinance, it's \$100 instead of a slap on the hand. So I think this is a good measure here. I, myself, I don't...I mean, I oppose what's being done here myself. It doesn't matter what you do out there. You have people that obey, like Mr. O'Neil said and what I've said before, too. And the ones that are not are not going to anyway, so you're not going to solve anything by signs and whatever you're trying to do here, so I would be opposed to it also.

Alderman Shea stated I think that one of the problems that we have is the fact that the people who follow the rules are being penalized in this instance and those that don't follow the rules are probably never going to follow the rules. And I think that somehow we have to grasp, how do we enforce something in the minds of people who have a pet, they walk the pet, but how do we get around the fact that they're not fulfilling the responsibilities that they should? I think that selective types of enforcement might be helpful. In other words, I would say that the Animal Control Officer should be alerted to the fact that there are certain parks, possibly more so than others, where there's a violation of this particular situation. And therefore that particular Animal Control Officer should be stationed there. I realize that they have 101 tasks to do, but if somebody is made an example, I think that the word spreads that, hey, when you're at park such and such, the Animal Control Officer has been there, there have been fines levied, and therefore stay away from that park. And I think that if that's helpful, then there could be another process possibly emanating from that process, namely that there might be another selected park designated, and so forth. I don't think that we should just disregard the fact that there is certain types of parks having animal waste there. But I don't think that enforcing it, or making an ordinance saying that if you walk your dog you can't walk it in a particular park is going to be helpful at all. So, I'm opposed to it as well. Thank you.

Alderman Long stated I'm also opposed to this for all that's already been said. With respect to the synthetic fields, are there already postings of No Animals Allowed, for like West, Memorial, Gill?

Chairman Osborne stated say that again. Are you asking me?

Alderman Long responded I'm asking the Solicitor probably. The synthetic fields, they don't have nature's way of cleansing themselves so those fields, I would hope animals would be staying off of them.

Chairman Osborne stated well I don't think you'd find that too often, unless they get in there when there's nobody around. During the games I don't think you'd find too many dogs.

Alderman Long stated not during the games but when there aren't games, are there people walking their dogs in those fields?

Chairman Osborne asked like Gill Stadium?

Alderman Long responded Gill Stadium, West, Memorial.

Chairman Osborne stated I don't think they're allowed in there. Well, Memorial, that could be. That could happen, huh?

Alderman Long stated that would be the only concern that I would have is that there's no natural way of cleaning the...

Chairman Osborne stated whether we have the ordinances or not, it's still going to happen anyway, regardless of if we pass the ordinance or if we don't pass the ordinance, it's going to happen if it's happening. It's all enforcement and it's a hard thing to do, I guess.

Alderman Long asked are there signs currently, Dogs Not Allowed, in those synthetic fields? I guess that's my question.

Chairman Osborne asked anybody from Parks here? No. I'm not sure of that one. I can't answer that one.

Alderman Long stated okay. As far as the fine goes, I agree. But as far as the ordinance, I do not agree.

Chairman Osborne stated okay I guess the motion...Anybody else want to say anything? The motion for the ordinance doesn't get a second so it's a four to one, so I guess the motion fails.

Deputy City Clerk Matthew Normand stated did you want to make a motion? We didn't have a motion.

Chairman Osborne stated well, okay. Want to make the motion? We had a motion and a second, for discussion.

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to receive and file this item. Alderman Roy was opposed.

Alderman Long made a motion to increase the fine for dog fouling from \$25 to \$100. Alderman Roy seconded the motion.

Alderman O'Neil asked how many signs are we going to have to replace in the City of Manchester?

Chairman Osborne asked in what fashion? How many signs are out there saying \$25? I haven't seen any.

Alderman Long stated I haven't seen any.

Alderman O'Neil asked there are none out there?

Chairman Osborne stated I've seen No Dog Fouling. We have those signs out there. But as far as the actual fine of \$25, I've never seen one. Mr. Hoben, can you answer that for us, please? Come on up.

Mr. Tom Hoben, Traffic Division Deputy Director, stated on the current No Dog Fouling sign, there is no fine listed on the signage.

Chairman Osborne stated no, just a No Dog Fouling, the RSA.

Mr. Hoben stated we have signs out in the areas of dead end streets, \$500 littering fine. I don't know which way you want to swing this. But you do have on the books a \$500 fine ordinance for littering.

Alderman Long asked Jim, do you know whether or not there are signs at the synthetic fields?

Mr. Hoben responded I do not know that. That would be Parks & Rec.

Deputy Chief Lussier stated there are signs at some of the athletic fields, I believe. Addressing the issue of the signage, they are unenforceable. They are more or less a courtesy sign, if that helps you.

Alderman Long asked do we know of any...Has anyone been stating whether or not there's been fouling on those fields when they went out to use them?

Deputy Chief Lussier responded I couldn't speak to those fields specifically.

Alderman Long stated okay, I guess Parks & Rec would know that. Is that where the complaint would go?

Deputy Chief Lussier stated the complaints are on the fields in general, that the animals don't belong on the athletic fields.

Chairman Osborne asked what makes them not enforceable?

Deputy Chief Lussier responded there's no ordinance to back it, I don't believe.

Chairman Osborne asked is that true, Mr. Arnold?

Mr. Tom Arnold, Deputy City Solicitor, responded I don't know of any special ordinance. That would have been dealt with by the ordinance that you just voted to receive and file, that prevented the dogs from being on any special use field, which would be defined as parks and some others.

Chairman Osborne asked would there be any reason to have dogs at Gill Stadium at any time, or West or Memorial? Would there be any reason for people to bring their dogs to a game?

Deputy Chief Lussier responded just a seeing eye dog. I personally don't feel that there's a reason for a dog to be on a field at any time, any field. Synthetic or not, you spend a lot of money on those fields.

Alderman O'Neil stated Memorial is part of a bigger complex where people walk their dogs. West is not quite as big a complex but there are other activities that go on at West, so if we don't think dogs are in the area, I think we're wrong on that.

Deputy Chief Lussier stated obviously you're concerned about the synthetic field because you've spent a lot of money on that field.

Alderman Long stated right, and also there's the sanitation, health-wise. It's not a natural field so it doesn't have the natural drainage that grass and loam has.

Deputy Chief Lussier stated so at Livingston where it's grass and a dog does its business there and somebody picks it up, and a young child playing soccer slides across that, he's safe because...

Alderman Long stated I'm not the expert on it but I would think that with dew or rain, the contamination would be cleaned quicker that it would be if it was on a synthetic field, because on a synthetic field you have drainage in certain areas so it all depends where the contamination is as to where would it need to go to drain. I think heavy rain might take care of it, but this is a detail that I feel, you know, with

the expense of those fields and health-wise, it would seem to be that contamination would stay longer on synthetic fields than it would on a natural field.

Alderman O'Neil stated we don't need to get the Public Health Director involved tonight but maybe it's something he can look at. I'm aware of the complaints; generally they have come out of Livingston that I'm aware of, with the Livingston track, that portion of Livingston. I've got to be honest with you. I've never heard of anything at Memorial or West. Gill is secured when there's no activity. So maybe Mr. Soucy can get back to us at a later date with some opinion on this issue but Marc, we could get...Do you happen to know, or maybe it's something you could look at...I'm sure a lot of this is happening in the hours when the School District or the public in general are not using the facilities. Have we been enforcing curfews or anything like that in the parks?

Deputy Chief Lussier responded yes, we enforce curfews in the parks but the problem with the current ordinance is, you're walking your dog in the park, the Animal Control Officer sees you. If you have your bag, you're going to pick it up. Your dog does his business, you look around, you're not going to see anybody and you're going to walk away. And that's the problem that we face. It's much easier to for the Animal Control Officers to enforce it if you just don't belong there.

Alderman O'Neil asked are the Animal Control Officers the only ones that are writing tickets? If a police officer sees this, he or she is not writing a ticket?

Deputy Chief Lussier stated a police officer has the ability to write a ticket for that. I couldn't tell you...

Alderman O'Neil asked has that happened?

Deputy Chief Lussier responded I couldn't answer that. I think it would be more likely to happen if the dogs weren't allowed on there, period, because the enforcement would be much easier.

Alderman O'Neil asked are there other departments...Do Public Health inspectors have the right to write tickets for this ordinance? Maybe that's what we need to do is expand who has the right to write tickets. Right now we're putting it all on the Animal Control Officers. There's only two of them in the City. They can't handle the calls for service that they have. And we're going to try to add another thing to it. Maybe we need to look...This comes up in discussions about other ordinances. Maybe we need to expand who can write the violations for ordinances. We seem to stay very parochial on...Well, it's a police matter; only police officers should write it. Or it's a Housing Code matter, only Housing Code should write it.

We've got to get away from that and maybe include others in the ability to cite people.

Chairman Osborne asked can we put that down Mr. City Clerk for next agenda, that subject?

Deputy City Clerk Normand asked would you like the Solicitor to come back with a recommendation also?

Chairman Osborne stated I'd like to write a few myself. I'd be a millionaire. Anyway, we have a motion on the fine, from \$25 to \$100.

There being none opposed, the motion carried.

8. Ordinance amendment relating to restrictions on registered sex offenders.

On motion of Alderman Roy, duly seconded by Alderman Shea, it was moved to discuss this item.

Chairman Osborne asked is Miss Laurie Peterson here? I have this girl here that has sent correspondence to all of you, and I just thought maybe she could say in a short period of time what her concerns are. I think they are good concerns because it's labeled 'sex offender,' and there's different types of sex offenders, so I think she can explain it better than I can.

Laurie Peterson stated I have been a resident of Manchester for the last four and a half years, as well as a born and raised citizen of New Hampshire. I am strongly opposed to sex-offender residency restrictions. They will not accomplish the goal of protecting our City's children. Experts estimate that 80-90% of all child molestations are perpetrated by acquaintances or family members. Residency restrictions will not protect these children. They are suffering within the walls of their own homes whether they are close to a school or not. Sex-offender restriction zones are based on the concept that our children must fear the person they don't know and that children are commonly kidnapped and assaulted by strangers. Fortunately child abductions are exceedingly rare. Nationwide there were 115 incidents of children abducted by strangers in 1999, the last year for which data is available. I think we can all agree that 115 is too many. But this is not representative of the whole picture on sexual assault and child abuse. Nancy Kushins, Executive Director of Connecticut Sexual Assault Crisis Services, who testified against these restrictions in Connecticut, reported that "during fiscal year 2005-2006, approximately 900 primary victims of sexual assault ages 17 and

under were served by their nine community based rape crisis centers. Of those 900 victims, only 6% were assaulted by strangers, which means that 94% of those sexual assault victims knew their assailant. Residency restrictions are based on the assumption that sex crimes against children are most often committed by predatory strangers. 1,000-foot, 2,500-foot residency restrictions won't help the victim whose offender lives three feet from her bedroom door; residency restrictions won't help the victim whose offender waits at her locker, 20 feet outside her classroom door; and residency restrictions won't help an athlete whose coach is fondling and abusing her in the locker room." The perception that sex offenders can't help but re-offend is incorrect. Sex offenders have some of the lowest recidivism rates of any class of criminals; as few as 5.3% re-offend within three years, according to the Bureau of Justice Statistics in a study published in 2003, as opposed to rates of 65-80% for drug offenders and thieves. Experts think that this misperception persists because people confuse all sex offenders with predatory pedophiles, who have higher rates of recidivism but actually only represent a fraction of sex offenders. Many sex offenders are guilty of public indecency crimes and have never touched a child in their lives, while others are guilty of statutory rape, even if both participants were teens. It is not my intention to minimize those crimes, but rather to show the diversity and difference between those that are an immediate and ongoing threat and those that are not. Given the seriousness of the long lasting effects of sexual victimization, we can probably all agree that it is of no comfort that they represent one of the lowest classes of re-offense. However, we cannot in good conscience pass legislation that is based on the false premise that all sex offenders are the same and are all mere seconds away from re-offending. Most people involved in the lawmaking process or sex offender issues are aware of the crisis that occurred in the State of Iowa after a statewide law placed residency restrictions on sex offenders. Numerous offenders stopped registering completely; many were forced out of their homes and sought shelter in the only available locations left in town. This resulted in a disproportionate number of offenders living in one area and greatly upset the residents who had children in those neighborhoods. It should be rather obvious that having a high concentration of sex offenders in one neighborhood will not help public safety. Further, it applied to all registered offenders, even if their crime was statutory rape with another teen under consensual circumstances. It unfairly punished the children and wives of those types of offenders by forcing them to move and leave their schools and their friends. The Iowa County Attorneys Association, hardly a pro-criminal organization here, called for repeal of this State law they helped pass. They listed 14 reasons why the law was not good public policy. I'd be happy to give you the handout, which I have, of their official statement. Studies in Colorado, Florida and Minnesota also confirmed the concerns of the Iowa County Attorneys. It would serve us well to learn from the plights of other states and towns. The New Hampshire legislature voted against a statewide residency restriction earlier this year by a two-thirds majority. The

message here is that residency restrictions are ineffective and counterproductive. They provide no demonstrable way in which we can prevent the most prolific type of child sexual abuse, that which occurs within the circle of trust. These ordinances have resulted in the direct loss of known sex offenders from the system. They provide no protection for the vast majority of suffering children. The collateral damage of such an ordinance when imposed on all offenders can have rippling effects throughout the community. There are offenders who are convicted of the acts of teenage experimentation that fell outside the bounds of the law. Does it make sense to have these types of restrictions imposed on those offenders and their families and their children? Does it make sense to create pockets of Manchester that are open to sex offenders, thus resulting in the direct loss of property value for those particular Manchester residents living in neighborhoods where sex offenders must live due to residency restrictions? With restrictions forcing offenders to congregate in certain small sections of our town we can guarantee that we will inadvertently create undesirable areas. Ask yourself: Do you want to create any more undesirable sections of Manchester than those that already exist? Ask yourself: How are those that will be living in the proposed "sex offender-safe zones" any better equipped to deal with sex offenders in their midst than the "off-limits" zones? Do you know where your neighborhood falls within the proposed areas? I'm afraid that what this all amounts to is sex-offender residency restrictions protecting our neighborhood at the expense of another, and not providing any real safety benefits. I am afraid that while we are focusing on the registered offender who shouldn't be living too close to any given location, we are overlooking Uncle Johnny or the babysitter victimizing our children. The implication, then, is that laws should focus on preventing all sex offenders, not just those that are registered, from harming children whom they know. How can we do this, you ask? By educating the community, parents and children about the signs and cycles of abuse, we can reduce and prevent abuse. By being vigilant and alert to suspicious activity within our own homes and on our streets, we can prevent sexual abuse. These are proven methods of deterring a pedophile from victimizing your child. Ordinances are not the answer here. Do not pass a measure that you have little confidence in with regard to that measure achieving its goal. Ask yourself, will residency restrictions protect children and increase public safety? If you can't answer that with a confident yes, then you shouldn't be passing an ordinance on the matter. Consider this: In Georgia, a mother of five had to relocate to a trailer park because her four-bedroom home was too close to a church. Janet Allison was convicted in 2002 of being a party to a crime of child molestation because Allison allowed her pregnant 15-year-old daughter's boyfriend, who was 17, to move in with the family. Though the couple eventually married, Allison's label sticks. Georgia doesn't evaluate or rank its offenders, nor does New Hampshire. This is one of the many unintended consequences of passing a residency restriction, and I would ask you not to do that

to the City of Manchester. I do have a handout here for anybody else who is interested.

Chairman Osborne stated okay, Mr. Roy, where do we stand with this, seeing that you put this...you're the author.

Alderman Roy stated that hurts. The Solicitor is the author. But, no, this was brought to us by a number of State Reps and though there are many, many concerns, I think that...

Chairman Osborne stated I guess Mr. Pepino is not here.

Alderman Roy stated no, he's not here. One of the pieces of language that is in the Dover law that I do like quite a bit is Section B – 2: "Any person who is a registered sex offender is prohibited from entering upon the premises of a school or day care center unless specifically authorized by the school administration or day care owner." What that is just allowing people to do is know who's around children or within your school volunteering or picking up your children. We brought this forward, it's been discussed. I'm willing to hear any and other sides of this and I'd like to thank the young lady for bringing some of these things to our attention.

Alderman Long stated a couple of things is, do we have a targeted area? These areas affected...Do we know what those areas are? And what would be available outside of those areas?

Chairman Osborne stated well, if you put 2,500 feet, you're probably talking the whole City of Manchester, so they'll have to move in the outskirts somewhere, and then the Liberties Union is going to complain about this and so on, so you're opening a can of worms.

Alderman Long stated what I also understand, when the Attorney General was here, and also the County Attorney, that in the State of New Hampshire, every one of these are under...are right now being litigated.

Chairman Osborne stated well it could be. I don't doubt it. I think what Mr. Roy brought up was a good idea. I mean, I have no problem with that one. Something like that, you know, if it's registered as such, I think it's a good idea just to have the people in those areas feel a little on the safe side. I have no problem with that one.

Alderman O'Neil stated the first question would be for the Solicitor. Tom, I recall the comments of both the Attorney General and the County Attorney about

challenges to the entire ordinances in those specific communities or were there specific parts of the ordinance that were challenged?

Mr. Tom Arnold, Deputy City Solicitor, stated I could not answer your question, unfortunately, Alderman. I don't have and have not had a chance to review the specific pleading that was filed.

Alderman O'Neil asked is that something that we could find out through communication with either the County Attorney or the Attorney General?

Mr. Arnold responded I could certainly attempt to do that.

Alderman O'Neil stated Alderman Long brings up a good point. Have we plotted out whatever the definition of the distance is? Have we plotted out what sections of the City that will leave? Now you said it will end up blocking everyone. I can think of southeast Manchester where there are no parks, there are no schools or day care centers. Does that mean southeast Manchester becomes the place where all sexual offenders move? I don't think that's the intent of what we're trying to do. And I think we need to see this on a map of what sections are going to be allowable and what sections aren't. I think the comment that the woman made about, we're now going to create portions of the City where all sex offenders are living is, I think we need to look at.

Alderman Shea stated a point of clarification. When you say southeast, where are you referring to?

Alderman O'Neil responded I'm talking, you know, the Bodwell Road, you know I think the furthest we go is Crystal Lake with a park, but there's no schools down that way.

Chairman Osborne stated yes there is, down on South Mammoth.

Alderman O'Neil stated yes but there's a whole lot of Manchester beyond McLaughlin Middle School and Green Acres. There's one park down there. We've heard the argument about the need for a regional park in what I refer to as southeast Manchester. I'm not aware of any day care centers. There may be, but I think we need to see how this lays out, depending on whatever the distance is, before we vote on anything.

Alderman Shea stated why don't we follow through then and ask the City Solicitor to get some sort of judgement back from the Attorney General or the County Attorney and then have a plotting done of the City to find out exactly what the implications would be in terms of where people would be restricted in terms of

living and where they would not be restricted in terms of living. And then from there we would have a better idea as far as to implement any kind of situation that's really most reasonable.

Mr. Arnold stated I certainly will check with the Attorney General and County Attorney, and had planned to do so. With respect to mapping, you'll notice that the proposed ordinance in front of you does not have a distance. You'd certainly need to decide what you want that distance to be before you could map what the effect on the City would be.

Alderman Roy stated I believe there is a mapping. It does not include day cares, but the Deputy Chief could probably speak to this regarding our drug-free school zones. And that may be the basis of where this mapping starts off or continues from.

Deputy Chief Lussier stated I can't speak to the drug-free school zone mapping, but just before coming into this meeting, I looked at the agenda and I noticed that this topic was mentioned, and I believe the website is *familywatchdog* if you want to go there. It's a commercial site. I'm not familiar with it, but it does give you a map. It does plot sex offenders. If my memory serves me correctly, I think it plotted about 240. I spoke with the officer in charge of registering sex offenders, and we have 331. So we have more than is on this map. So if you're looking at plotting something, I can't speak for the accuracy of that map. Have you found it yet, Alderman?

Alderman O'Neil stated just a question, Marc. That's just going to show where the registered sex offenders are living. I think what we're looking for is if we put some restriction in the perimeter of schools, day care centers or parks and playgrounds, how that would lay out in the City?

Deputy Chief Lussier stated I understand it's not as in-depth as you were looking for. But it is a starting point.

Chairman Osborne stated but they're already living there so they're grandfathered in anyway, so where are we going?

Deputy Chief Lussier stated you'd have to speak to the Solicitor about grandfathering.

Chairman Osborne asked are they all going to move, once we say so many feet? 1,000, 2,500 feet, whatever it is from the schools or whatever it is, and these people are living already there, what are they going to do? All move right out?

Mr. Arnold stated the proposed ordinance provides that. An exception is any person who has established their residence prior to the effective date of this ordinance.

Chairman Osborne stated that's what I'm saying. So they're already there. We're batting zero here.

Alderman Long asked is the grandfather...is that by design or is that by law?

Chairman Osborne stated no, I just said grandfather. There's no such thing. If we came through with this ordinance, then they would be grandfathered in, as such, wherever this ordinance reads, they're already there. So, where do we go from there?

Alderman Long stated but on C - 2: "Any person who has established a residence prior to the effective date of this ordinance." They are the exception. Is that by design or by law?

Chairman Osborne responded well this is by what the City Solicitors have written.

Alderman Long asked Mr. Solicitor, is that by design or by law?

Mr. Arnold responded I, I mean, it's...I'm sorry, Mr. Clark's here, so I'll let him answer as he drafted.

Mr. Tom Clark, City Solicitor, stated good evening, Aldermen. I was asked by Alderman Roy to put together a draft ordinance which combined the aspects of the Dover ordinance with the aspects of a House Bill that was introduced last year. Both that ordinance and the House Bill had the grandfather clause in it. Now if you're asking me whether you can force people to move out of their homes, I would say no, you cannot.

Alderman Long stated and that's probably why...Well, we don't know what the other towns are fighting right now.

Mr. Clark stated I assume that their attorneys gave them the same counsel.

Chairman Osborne stated well we could talk all night about this, I think. I'd like to put this on the table for further study or whatever.

Alderman Lopez stated I'd just like to make a comment before the Committee since at the Full Board we talked about this. Maybe where there are parks, playgrounds and libraries, something should be looked into. But in checking this

out, if you want to utilize the word 'grandfather clause' for those people that already live there, I believe we can't do anything about it. But I think as a minimum, as you move forward to refine the ordinance, I would hope that the Committee would at least have something on the books in reference to these individuals coming into the City of Manchester, living within the school or day care center, at least 500 feet to 1,000 feet, or at least you have something on the books to maybe change it later on. But without something on the books, they're going to continue to come here and live wherever they want to live. And that was the testimony the Attorney General gave.

Alderman O'Neil stated for Alderman Shea's suggestion about getting a map plotted, what is the distance we're going to ask for? 500 feet? 1,000 feet? Or 2,500 feet?

Chairman Osborne stated or all of the above.

Alderman Shea stated well I would say, in terms of what he's saying, either 500 or 1,000 feet anyway.

Chairman Osborne stated or we could do both and see what that incurs.

Alderman Roy stated Mr. Chairman, and I don't know if anyone else can answer, I know Jim Hoben made the signs, what the drug-free zone is around the schools? I believe it's 1,000 or 1,200 feet. I would just ask that when we do plot it, that we look at that as a baseline. That's what was determined effective for the drug-free school zones. I see that as being effective as well.

On motion of Alderman Shea, duly seconded by Alderman Long, it was voted to table this item.

Alderman O'Neil stated but in that tabling, we're going to get something back from the Solicitor.

Mr. Clark asked are you looking for the Solicitor to plot the City as well?

Alderman Roy responded no.

Alderman O'Neil stated somebody has got to plot it. The Planning Department.

Chairman Osborne stated you'd better use the 500, the 1,000 the most, that's for sure, if you're going to do it.

Alderman Long stated Mr. Chairman, if we plot 500 and you want to go 1,000, all you've got to do is add the scale. If the scale is an inch, go another inch. So just do a 500 and let's see the areas that are...

Chairman Osborne addressed Item 9 of the agenda:

9. Communication from Gregory Barrett, Kas-Bar Realty organizer and resident of HiDi, requesting the closure of West Merrimack Street from Canal Street east to 65 West Merrimack Street from 9 AM till 5 PM on Saturday, September 8th.

Chairman Osborne asked is the Fire Department and the Police Department? I didn't see anything in this on that. Is that okay?

On motion of Alderman Long, duly seconded by Alderman O'Neil, it was voted to approve this item.

10. Communication from Jan Ramos expressing her concerns regarding safety in and around Sheridan Emmet Park.

Chairman Osborne asked is she here? Yes. Would you come up to the mike quickly and try and do what you can. It's too bad we don't have too much time here. I'm interested in this because it's in my Ward, of course, but still, there's been a lot going on down there at Sheridan Emmet. I guess all of you know that. It's quite the place.

Ms. Jan Ramos stated I own and live in 276 Summer Street. I have three children: twelve, five and two. My front yard is not very big so I can see them from any one of my windows along the front and side of my house if I choose to let them go play. I don't want them to go play because of the kids who smoke pot. I don't let them go play because of broken equipment in the park. I don't let them go play because of children who threaten other children in the park. And there's various other reasons I don't let them go play. I would like you to see pictures of the equipment in the park. I mean, burned slides. It's ridiculous.

Alderman O'Neil stated just a quick question if I may, Mr. Chairman?

Ms. Ramos continued some of the other things I have concerns are...I mean, we've actually talked about some of my concerns today that was in my letter. Dog droppings. When I walk outside my house...I understand you can't have every police officer chasing every person who allows their dog to poop but...

Chairman Osborne stated can I stop you right there. When you see this, are they on a leash or are they not? Are they just stray dogs?

Ms. Ramos responded it's a combination. And as to signs, there's not a whole lot of signs of Curb Your Dog. And if there are signs, they're graffitied. As to making calls regarding these things, one of the things I listed in my letter is it only takes a minute for anybody to commit any one of these acts. Forty-five minutes later, when an officer arrives, it's done and gone. And I understand that an officer can't drop something that's so important where they may be. But I think a higher police presence in the area would make a tremendous difference. Having an officer meet the children in the park, being there after school when kids get out of school, and meeting these children, being there during common times when teens are practicing baseball or football or soccer. Just watching what's going on around the park. Just having a regular patrol of the park and just being more interactive would be so helpful. I don't think I can say much more. I've described these kids. I've done whatever I could but I'm one person.

Chairman Osborne stated I would like to ask a few questions to the Police Department but we have no time here. If you don't mind, I'd like to have you come back maybe again next time so we can go just a little bit further. I really appreciate your time. That's why I had to let you speak a little bit at least. You came here.

Alderman O'Neil stated instead of asking Ms. Ramos to have to come back, I think she's made her point. I think we should ask the Police Department...This looks like a problem that many times is solved by community policing. I'm also disappointed looking in those pictures at graffiti. I don't know how long that has lasted but certainly the School District and/or the Park Department has a responsibility to let Highway Department know. We have a full-time graffiti person. That should be taken care of. I don't know how old the pictures are, Ma'am.

Ms. Ramos stated I took those two weeks ago.

Alderman O'Neil stated and the graffiti is still there. That's unacceptable. We have to come up with a better...So, my point is, I don't think we need to bring her back. I think her letter speaks for itself.

Ms. Ramos asked can I point out one other thing in those pictures? If you look at the slide that has a big burn mark in it...

Chairman Osborne stated I don't just want to blow this off. I want to table it.

Alderman O'Neil stated no, I'm not suggesting we blow it off, but I hate to have her come back again. She's made her point. It's on our agenda.

Chairman Osborne asked do I have a motion or I don't, to table it?

Alderman Shea asked table...What do you mean? When you say table, does she have to come back?

Chairman Osborne stated table this discussion. Number ten.

Alderman O'Neil stated he wants her to come back again.

Alderman Shea stated well, I mean, do you want to come back another time? I don't know. You're busy, maybe. You have three kids.

Ms. Ramos stated I have three kids, I work, but more importantly, school starts tomorrow in Beech Street School.

Alderman Roy stated can we have...the Chief is again champing at the bit to come up and maybe be helpful.

Chairman Osborne stated it's just that I only have...I've got about five minutes to push through agendas here. You know, we can go on and on and on. Yes, Mr. Deputy Chief.

Deputy Chief Lussier stated I just wanted to say that on receipt of her letter, we have been responsive. We have gone out there and patrolled the park quite a bit. Days and midnights, not that busy. Four to twelve seems to be the busiest shift. What they've reported to me is they've arrested one person for drugs, one person on a warrant. They seized eight knives. They've arrested a person who was supplying cigarettes and alcohol to some of the juveniles. They've located suspects on a variety of crimes. They've identified a drug house in the area that we've been working on. They've removed 33 people for violation of the park curfew. They've opened up dialogue with some of the immigrant population playing in the park there. They've met with a lot of the parents. They've addressed issues with trespassing in the vegetable garden, and I could go on. They've done more. But they have felt that there has been an improvement within the past few weeks. I'd be happy to speak with her instead of calling her back. I can open up the dialogue. I didn't have her number but we can continue to work with her to make the park a better place to be. But we have been there and we have been taking some action.

Alderman Shea stated I would like to make a motion that you meet with her and report back to us at the next meeting regarding the implications of your meeting with her and what the progress might be.

Alderman Long stated I'll move to table this. I don't know if her issues are being addressed.

Alderman O'Neil stated I think they are, what I'm hearing from the Deputy Chief.

Alderman Long asked as of August 15th you had all those arrests?

Deputy Chief Lussier stated I don't know what the exact date is but within the last few weeks we've increased our presence in the park.

Alderman Long asked since after her letter?

Deputy Chief Lussier responded yes sir.

Alderman Long stated now Ms. Ramos, have you seen betterment as of August 15th?

Ms. Ramos responded in the affirmative.

Chairman Osborne asked so you feel comfortable? Okay, fine. So we have a motion to receive and file.

Alderman Shea stated well, we have a motion to receive and file but he'll come back.

Chairman Osborne stated no, the Deputy Chief is going to keep on down there and...

Alderman Shea stated but I'd like a report back from him at the next meeting.

Chairman Osborne stated that's fine.

Alderman O'Neil stated and I did see, Mr. Chairman, Mr. Sheppard writing down Sheridan Emmet Park about graffiti. We need to improve why the information is not getting to the Highway Department to get the graffiti taken care of.

Alderman Roy stated the Chairman of the CIP Committee asked if any damaged equipment could be sent to the CIP Committee and they'll be able to take care of the slide.

Chairman Osborne stated we should have Parks and Rec take a look at this anyway. That's what I was going to do. Okay, and bring it back to us and see what the story is.

Deputy City Clerk Normand stated Mr. Chairman, do you want to table that? We need a motion.

Chairman Osborne stated we're going to receive and file it. We're going to have a report coming back, but we're receiving and filing. Do we have a motion?

On motion of Alderman O'Neil, duly seconded by Alderman Shea, it was voted to receive and file this item.

Chairman Osborne addressed items 13 and 14 together, agendas from the Parking Manager and Traffic Division, inclusive of addendums.

PARKING DIVISION AGENDA:

RESCIND PARKING REGULATIONS AS DESIGNATED IN MILLYARD

PERMIT PARKING ONLY 8AM TO 8 PM:

On Commercial Street, east side, from a point 50 feet north of Stark Street to a point 330 feet north of Spring Street

PERMIT PARKING ONLY:

On Arms Street, east side, from Stark Street to 170 feet south of Commercial Street

ADD PARKING REGULATIONS IN MILLYARD

15-MINUTE PARKING (8AM-8PM FROM APRIL TO OCTOBER

PERMIT PARKING ONLY 8AM-8PM FROM NOVEMBER TO MARCH):

On Commercial Street, east side, from a point 26 feet north of Stark Street to a point 46 feet northerly

PERMIT PARKING ONLY (8AM TO 8 PM):

On Commercial Street, east side, from a point 46 feet north of Stark Street to a point 330 feet north of Spring Street

On Arms Street, east side, from Stark Street to a point 80 feet northerly

On Arms Street, east side, from a point 145 feet north of Stark Street to a point 170 feet south of Commercial Street

NO PARKING LOADING ZONE:

On Arms Street, east side, from a point 127 feet north of Stark Street to a point 145 feet northerly

TRAFFIC DIVISION AGENDA:

CROSSWALKS:

On Edward J. Roy Drive, south of Stone Terrace Condominium Driveway
(245 Edward J. Roy Drive)
Alderman Gatsas

On Tarrytown Road, north of Spruce Street
Alderman Osborne

On Young Street, west of Cypress Street
Alderman Shea

3-WAY STOP SIGNS:

On Lacourse Street at Rhode Island Avenue, NEC

4-WAY STOP SIGNS:

On New York Street at Rhode Island Avenue, SWC

RESCIND STOP SIGNS (EMERGENCY ORDINANCE):

On Thomas Street at Kevin Street, SEC, NWC
Alderman Garrity

30-MINUTE PARKING (7AM – 11 PM):

On Union Street, west side, from Lake Avenue to Lake Avenue, South Back Street
Alderman Long

COMPACT VEHICLE PARKING ONLY:

On Massabesic Street, north side, from a point 33 feet east of Belmont Street to a point 17 feet east (1 space)
Alderman Osborne

NO PARKING ANYTIME:

On W. Rosemont Avenue, south side, from a point 532 feet east of Brown Avenue to a point 35 feet east
Alderman Garrity

On Cedar Street, south side, from Wilson Street to a point 120 feet west;
On Massabesic Street, north side, from a point 50 feet east of Belmont Street to a point 125 feet east
Alderman Osborne

NO PARKING DURING SCHOOL HOURS:

On Fernand Street, south side, from South Porter Street to Rockwell Street
Alderman DeVries

NO PARKING – TOW ZONE:

On Elm Street, east side, from Central Street, to a point 17.5 feet northerly
On Elm Street, west side, from Pleasant Street to a point 165 feet southerly
Alderman Long

NO THROUGH TRUCKS:

On Front Street from the I-293 On-Ramp to Goffstown Road, southbound
Alderman Forest

RESCIND 1-HOUR PARKING (8 AM – 6 PM):

On Chestnut Street, west side, from Myrtle Street to Myrtle South Back Street (ORD. 6402)
Alderman Long

RESCIND 1-HOUR PARKING:

On Dutton Street, east side, from Concord Street to a point 50 feet southerly (ORD. 2936)
Alderman Duval

RESCIND 2-HOUR PARKING:

On Myrtle Street, north side, from Chestnut Street to Pine Street (ORD. 3417)
Alderman Long

RESCIND NO PARKING ANYTIME:

On Cedar Street, south side, from Canton Street to a point 150 feet east (ORD. 8359)
On Cedar Street, north side, from Canton Street to a point 80 feet (ORD. 7947)

On Cedar Street, south side, from Wilson Street to a point 180 feet west(ORD. 7624)

On Massabesic Street, north side, from Belmont Street to a point 175 feet east (ORD. Number not yet assigned)

Alderman Osborne

ADDENDUM

Crosswalks:

On Valley Street, east and west of Taylor Street

On Taylor Street, north and south of Valley Street

Alderman Shea

Double Yellow Painted Lines and Stop Bars:

Vinton Street and South Taylor Street

Alderman Shea

No Parking Anytime – Emergency Ordinance:

On Hazelton Avenue, west side, from Devonshire Street to Brown Avenue

Alderman DeVries

Discussion: Speed 25

On Rhode Island Avenue, from Hanover Street to Bridge Street

On Maryland Avenue, from Hanover Street to Bridge Street

On Page Street, from Hanover Street to Bridge Street

On Beaver Street, from Hanover Street to Bridge Street

On Maplehurst Avenue, from Bubier Street to Bridge Street

(Pending report from SNHPC)

Alderman Duval

Alderman Roy stated Your Honor, there is a No Through Trucks that was suggested for the southbound 293 off ramp. If we could just table that till next meeting, the Planning Board is taking some action on that and I don't want to supercede their action.

Chairman Osborne asked is that okay, Mr. MacKenzie? Okay, we'll pull that off and table it. And the rest of it we'll take a motion on.

Alderman O'Neil stated I'm going to vote for everything and this does not reflect Alderman Duval but I'm going to hand you guys out something. This four-way stop sign is getting ridiculous in the City of Manchester, and we're in violation of every standard possible for it. And as well as this speed of 25 miles an hour. Did

they write any tickets at 30 miles an hour? We have no data. We just make these random traffic decisions around this City without any data to back it up. So I'm going to vote against the four-way stop signs. I have some information for you on this from the manual on Uniform Traffic Control Devices about four-way stop signs. Probably 99 out of 100 of them we've installed do not meet the standards.

Chairman Osborne stated okay, we took the Parking Manager and we're also taking the Traffic Division's, both of these agendas, right? We're going through both of these at once?

Deputy City Clerk Normand stated you can approve it all if you like.

Chairman Osborne stated we'll go with all of it, whatever we took the vote on.

On motion of Alderman Shea, duly seconded by Alderman Long, it was voted to approve the agendas of the Parking Manager and the Traffic Division, including Addendums; with the exception of No Through Trucks on Front Street which was tabled. Alderman O'Neil opposed the four-way stop sign at New York Street and Rhode Island Avenue.

11. Communication from Jim Hoben, Deputy Traffic Director, seeking clarification from the City Solicitor regarding any liability issues associated with placement of nonstandard MUTCD signage and seeking the committee's direction in the installation of such signage.

Alderman O'Neil stated I just handed you a similar issue. I don't think it was Mr. Hoben's intent on four-way stop signs in the Manual for Uniform Traffic Control. I just handed you information from the Institute of Transportation Engineers and Counsel. We need to slow down on this whole sign thing. I don't know what standards we're following, if any, but we're certainly out of control on four-way stop signs if you take a look at the information I passed out. I don't know what else we're in violation of, to be honest with you.

Alderman Roy stated I'll make a motion, Your Honor, if you like. Jim touched on two questions and I'm just trying to get to Jim's letter as quickly as I can. The first I would ask, to answer his question, that I believe all signs in the City should meet the Manual on Uniform Traffic Control Devices that is recognized by the US Department of Transportation is the best policy, so I would look to have all of our signage meet that criteria. Does that answer one of your questions, Jim?

Chairman Osborne stated there's a lot of signs out there that are non-standard and they don't meet what you're talking about either.

Mr. Hoben stated the intent here is that the City has adopted the MUTCD, and the Traffic Division has always used that as the standard by which we make up the signs, fabricate them, and follow their recommendations. Similar to what Alderman O'Neil said, it has always been the Traffic Division's bible, if you will, to follow that manual in putting up signs. It's not only a national manual now but it's almost international where they're coming in with these symbolic signs where they want standardizing around the world. If someone sees a sign, whether it be in Canada, Mexico, or the United States, they'll understand that sign. Some of this stuff is off the wall, somewhat. It's not part of the manual. Some of the signs that we do aren't listed in the manual itself and we just did one at Alderman O'Neil's request about taking no right turns during a pedestrian cycle. There is no standard sign in the manual for that and we designed one and we'll be putting it up on Brown Avenue.

Alderman O'Neil stated that was per Alderman DeVries and we have them in other parts of the City. We have one at Canal and ... not Dow...going into the Millyard.

Mr. Hoben stated that's a separate sign. It's No Turn On Red. It lights up.

Chairman Osborne stated as far as I'm concerned, there's another committee coming in here. I realize that. Every town, every city, whatever, village, has different problems, has different areas, like Mr. O'Neil said here, what he proposed, or Mrs. DeVries. I think the Alderman in each Ward knows what the problems are. I know it's hard to...I could talk all night about it, but I don't have the time.

Alderman O'Neil stated let me just ask one question.

Chairman Osborne asked why don't we just table this one, okay?

Alderman O'Neil asked can I ask a question before we table?

Chairman Osborne stated I've got to keep going here.

Alderman O'Neil stated Jimmy, yes or no, on four-way stop signs, do we meet the standards?

Mr. Hoben stated we should be meeting the standards.

Alderman O'Neil asked do we? Not should be, do we?

Mr. Hoben responded no, we don't.

Alderman O'Neil stated thank you.

Chairman Osborne asked what standard is that?

Alderman O'Neil responded the standard I just handed out to you.

Chairman Osborne stated well I didn't have a chance to read all this. I've got enough to do right here.

On motion of Alderman Shea, duly seconded by Alderman Long, it was voted to table Item 11.

12. Communication from Brandy Stanley, Parking Manager, on behalf of the Police Department, requesting the issuance of parking permits to volunteers working at the police station to be used at 10-hour meters free of charge.

On motion of Alderman Roy, duly seconded by Alderman Long, it was voted to approve this item.

TABLED ITEMS

15. Communication from Alderman Shea proposing the establishment of a Manchester Crime Prevention Committee.
(Tabled 12/12/2006)
This item remained on the table, pending further information.
16. E-mail communication from Jennifer Drakoulakos expressing her concerns regarding traffic flow and parking problem on A Street.
(Tabled 04/17/2007)
This item remained on the table.
17. Communication from Deputy Chief Lussier submitting information relating to tasers and responding to questions raised regarding the department's priorities.
(Tabled 07/10/2007)
This item remained on the table.

There being no further business, on motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee